




voluntarily dismiss an FLSA action is incorrect [because] [i]t runs a foul of Fed. R. Civ. P. 41, which gives the . . . Parties jointly, at a later stage in the case, free reign to discontinue for any reason.”).

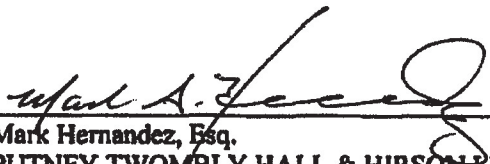
Because the Parties have agreed to payment of attorney’s fees and cost separately, the Court need not separately review Plaintiff’s attorneys’ fees and costs. *See Picerni*, 925 F. Supp. 2d at 377, n.3 (citing *Cisek v. National Surface Cleaning, Inc.*, 954 F. Supp. 110 (S.D.N.Y. 1997)).

Based on the foregoing, the Parties request the Court to direct the Clerk of the Court to close this case with prejudice.

Respectfully submitted this the \_\_\_\_ day of \_\_\_\_\_, 2014.

  
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SO ORDERED:
<u>15</u> /JOANNA SEYBERT
Joanna Seybert, USDJ
Dated: <u>April 24, 2014</u>
Central Islip, NY